

#10

Attorney Docket No. 46342-56401

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Watanabe et al.

Application No.: 09/913,770

Group No.: Not Yet Assigned

Filed: 17 August 2001

Examiner: Not Yet Assigned

For: NOVEL G PROTEIN-COUPLED RECEPTOR PROTEIN AND DNA THEREOF

\*\*\*\*\*  
CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box, Alexandria, VA 22313-1450 on May 22, 2003.

By:   
Sharon Bizokas

\*\*\*\*\*  
**MAIL STOP PCT**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

Sir:

TRANSMITTAL LETTER

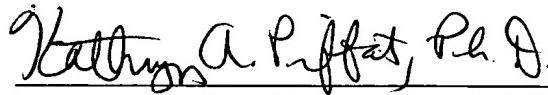
Transmitted herewith for filing in the above-referenced patent application are the following documents:

1. Submission of Sequence Listing Transmittal (5 pages);
2. Preliminary Amendment (2 pages);
3. Copy of Notification of Defective Response, dated April 29, 2003 (9 pages);
4. 3.5" Floppy Disk containing Sequence Listing;
5. Paper Copy of Sequence Listing (2 pages) (paginated);
6. Paper Copy of Sequence Listing (2 pages) (unpaginated);
7. This transmittal letter (2 pages) (x2); and
8. Return postcard.

The Commissioner is hereby authorized to charge any excess fees that may be required, or credit any overpayment to Deposit Account No. 04-1105. A duplicate copy of this sheet is enclosed.

Date: May 22, 2003

Respectfully submitted,



Kathryn A. Piffat, Ph.D., Reg. No.: 34,901  
Intellectual Property Practice Group of  
EDWARDS & ANGELL LLP  
P.O. Box 9169  
Boston, Massachusetts 02209



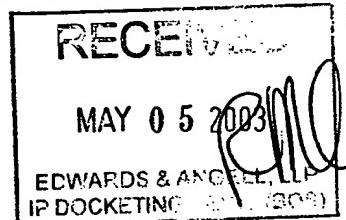
## UNITED STATES PATENT AND TRADEMARK OFFICE

DEC/10/03  
56401 (46342)

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/913,770	Takuya Watanabe	46342-56401

David G Colin  
Dike Bronstein Roberts & Cushman  
Intellectual Property Practice Group  
PO Box 9169  
Boston, MA 02209



INTERNATIONAL APPLICATION NO.	
PCT/JP00/00927	
I.A. FILING DATE	PRIORITY DATE
02/18/2000	02/19/1999

CONFIRMATION NO. 4523  
371 FORMALITIES LETTER

\*OC000000009920401\*

Date Mailed: 04/29/2003

### NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Priority Document
- Copy of the International Application filed on 08/17/2001
- Copy of the International Search Report filed on 08/17/2001
- Copy of IPE Report filed on 08/17/2001
- Preliminary Amendments filed on 11/04/2002
- Information Disclosure Statements filed on 08/17/2001
- Biochemical Sequence Diskette filed on 08/17/2001
- Oath or Declaration filed on 08/17/2001
- Biochemical Sequence Listing filed on 11/04/2002
- Request for Immediate Examination filed on 08/17/2001
- Copy of references cited in ISR filed on 08/17/2001
- U.S. Basic National Fees filed on 08/17/2001
- Power of Attorney filed on 08/12/2002

Applicant's response filed 11/04/2002 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 10/22/2001 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

DEFECTIVE RESPONSE  
RECEIVED  
MAY 05 2003  
EDWARDS & ANGELL, LLP  
101 Federal St. Boston, MA 02110  
Docketed For 5/13/03 - 6/1/2003  
By \_\_\_\_\_ RDO  
Approved \_\_\_\_\_

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 -1.825 for the following reason(s):
  - A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of Annex C of the Administrative Instructions and 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
  - **APPLICANT MUST PROVIDE:**
    - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
    - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).
- For questions regarding compliance to 37 CFR 1.821 -1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308 -4216
  - To Purchase Patentln Software, call (703) 306 -2600
  - For Patentln Software Program Help, call (703) 306 -4119 or e -mail at patin21help@uspto.gov or patin3help@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

TAMALA D HOLLAND

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Telephone: (703) 305-5483

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/913,770	PCT/JP00/00927	46342-56401

RECEIVED 27 MAY 2003

Attorney Docket No.: 46342-56401

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Watanabe et al.

Application No.: 09/913,770

Group No.: Not Yet Assigned

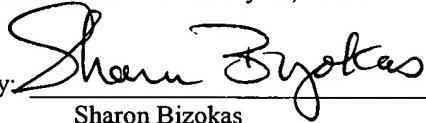
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Examiner: Not Yet Assigned

For: NOVEL G PROTEIN-COUPLED RECEPTOR PROTEIN AND DNA THEREOF

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By:   
Sharon Bizokas

\*\*\*\*\*  
**MAIL STOP PCT**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

Sir:

**SUBMISSION OF "SEQUENCE LISTING," COMPUTER READABLE COPY,  
AND/OR AMENDMENT PERTAINING THERETO  
FOR BIOTECHNOLOGY INVENTION CONTAINING NUCLEOTIDE  
AND/OR AMINO ACID SEQUENCE**

*(check and complete this item, if applicable)*

1.  This replies to the Office Letter DATED April 29, 2003.

*NOTE: If these papers are filed before the office letter issues, adequate identification of the original papers should be made, e.g., in addition to the name of the inventor and title of invention, the filing date based on the "Express Mail" procedure, the application number from the return post card or the attorney's docket number added.*

- A copy of the Office Letter is enclosed.

**IDENTIFICATION OF PERSON MAKING STATEMENT**

2. I,

*Kathryn A. Piffat, Ph.D.*

*Kathryn A. Piffat, Ph.D.*

state the following:

**ITEMS BEING SUBMITTED**

3. Submitted herewith is/are:

*(check each item as applicable)*

- A.  "Sequence Listing(s)" for the nucleotide and/or amino acid sequence(s) in this application. Each "Sequence Listing" is assigned a separate identifier as required in 37 C.F.R. Section 1.821(c) and 37 C.F.R. Sections 1.822 and 1.823.
- B.  An amendment to the description and/or claims, wherein reference is made to the sequence by use of the assigned identifier, as required in 37 C.F.R. Section 1.821(d).
- C.  A copy of each "Sequence Listing" submitted for this application in computer readable form, in accordance with the requirements of 37 C.F.R. Sections 1.821(e) and 1.824.
- D.  Please transfer to this application, in accordance with 37 C.F.R. Section 1.821(e), the computer readable copy(ies) from applicant's other application identified as follows:

In re application of:

Application No.: 0 /

Filed:

For:

Group No.:

Examiner:

The Computer readable form(s) of applicant's other application corresponds to the "Sequence Identifier(s)" of the application as follows:

Computer Readable Form

"Sequence Identifier"

(other application)

(this application)

**NOTE:** "If the computer readable form of a new application is to be identical with the computer readable form of another application of the applicant on file in the Office, reference maybe made to the other application and computer readable form in lieu of filing a duplicate computer readable form in the new application. The new application shall be accompanied by a letter making such reference to the other application and computer readable form, both of which shall be completely identified." 37 C.F.R. Section 1.821(e).

- E.  A statement that the content of each "Sequence Listing" submitted and each computer readable copy are the same, as required in 37 C.F.R. Section 1.821(g).

[ ] Because the statement is not made by a person registered to practice before the Office, the Statement is verified as required in 37 C.F.R. Section 1.821(b).

- F.  Because this submission is made in fulfilling the requirement under 37 C.F.R. Section 1.821(g), a statement that the submission includes no new matter.

[ ] Because the statement is not made by a person registered to practice before the Office, the statement is verified, as required in 37 C.F.R. Section 1.821(g).

**STATEMENT THAT "SEQUENCE LISTING"  
AND COMPUTER READABLE COPY ARE THE SAME  
AND/OR THAT PAPERS SUBMITTED INCLUDES NO NEW MATTER**

4. I hereby state:

*(complete applicable item A and/or B)*

- A.  Each computer readable form submitted in this application, including those forms requested to be transferred from applicant's other application, is the same as the "Sequence Listing" to which it is indicated to relate.
- B.  All papers accompanying this submission, or for which a request for transfer from applicants' other application, introduce no new matter.

**STATUS**

5. Applicant is

[ ] a small entity. A statement:

[ ] is attached.

[ ] was already filed.

[X] other than a small entity.

**EXTENSION OF TERM**

6.

*NOTE: "Extension of Time in Patent Cases (Supplement Amendments) If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.*

*If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of Dec. 10, 1985 (1061 O.G. 34-35).*

*NOTE: See 37 C.F.R. Section 1.645 for extensions of time in interference proceedings and 37 C.F.R. Section 1.550(c) for extensions of time in reexamination proceedings.*

7. The proceedings herein are for a patent application and the provisions of 37 C.F.R. Section 1.136 apply.

*(complete (a) or (b) as applicable)*

(a) [ ] Applicant petitions for an extension of time under 37 C.F.R. Section 1.136 (fees: 37 C.F.R. Section 1.17(a)(1)-(4)) for the total number of months checked below:

Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
[ ] one month	\$ 110.00	\$ 55.00
[ ] two months	\$ 400.00	\$ 200.00
[ ] three months	\$ 920.00	\$ 460.00
[ ] four months	\$1440.00	\$ 720.00
[ ] five months	\$1960.00	\$ 980.00

Fee \$ \_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

[ ] An extension for \_\_\_\_\_ months has already been secured, and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_

**OR**

(b) [X] Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

**FEE PAYMENT**

8. [ ] Attached is a check in the sum of \$ \_\_\_\_\_.

[ ] Charge Account No. \_\_\_\_\_ the sum of \$ \_\_\_\_\_.

A duplicate of this transmittal is attached.

**FEE DEFICIENCY**

9.

*NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.*

10. [X] If any additional extension and/or fee is required, charge Account No. 04-1105.

Respectfully submitted,

Date: May 22, 2003

  
\_\_\_\_\_  
Kathryn A. Piffat, Ph.D. Reg. No.: 34,901  
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